THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11036 of 2007

Dated:06.07.2007

Between:

Chiramana Mohan Rao, S/o.C.Penchalaiah,
And another.

…Petitioners

and

The District Collector, Nellore, and another.

…Respondents.

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ORDER:

The first petitioner is the husband of the second petitioner. Both the petitioners are allegedly residing in Muthukuru Village and Mandal in Nellore District. They claim that they are landless poor persons having no source of livelihood. They also allege that theirs is an inter-caste marriage and at the time of marriage the father-in-law of the first petitioner gave Ac.0.60 cents of land to them, which is allegedly in their possession for over twenty years. The petitioners allegedly made representations to the second respondent on 05.12.2003 and 05.04.2004 requesting assignment of the land considering long standing possession, in vain. Therefore, they filed the present Writ Petition seeking a direction to the second respondent to consider their representations and pass necessary orders.

After receiving instructions, the learned Assistant Government Pleader for Revenue (General-A) submits that the petitioners have not made any representations to the second respondent and the representations allegedly sent by the petitioners on 05.12.2003 and 05.04.2004 are not made to the second respondent. He nextly states that they are not residents of Muthukuru Village and that they are residing at Amarnathapuram Village in Nellore Town, and therefore, they are not eligible for assignment.

As the learned Assistant Government Pleader made submissions after getting instructions, this Court has no reason to disbelieve the version of the Government. Therefore, liberty is given to

the petitioners to make a proper representation to the second respondent, who shall pass appropriate orders after receiving such representation. In this Writ Petition, no relief can be granted.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

06.07.2007
vs